

Report Date: January 11, 2006

**United States District Court**

**for the**

**Eastern District of Washington**

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

JAN 12 2006

JAMES R. LARSEN, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

Name of Offender: Patrick Thomas Boam

Case Number: 2:99CR00142-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Date of Original Sentence: 03/31/2000

Type of Supervision: Supervised Release

Original Offense: Credit Union Robbery, 18 U.S.C. §  
2113(a)

Date Supervision Commenced: 05/09/2005

Original Sentence: Prison - 70 Months; TSR - 36  
Months

Date Supervision Expires: 05/08/2008

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 16 You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.
- 21 You shall reside in a community corrections center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of that facility. You shall remain at the facility until discharged by the Court.
- 22 You shall abstain from alcohol and shall submit to testing (including urinalysis and Breathalyzer), as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from this substance.

**CAUSE**

On January 4, 2006, Patrick Boam left a voice message admitting he violated conditions of his supervised release by consuming marijuana, contrary to condition number 7 of the conditions of supervised release.

On January 6, 2006, the offender was summoned to the U.S. Probation Office to address the reported noncompliance. The offender signed an admission of drug use form and admitted consuming marijuana on or about January 3, 2006. The offender advised that he has worked sporadically since December 2005. As a result of his unstable employment status, relationship problems with his live-in girlfriend have surfaced.

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As the Court may recall, the offender consumed controlled substances while participating in aftercare treatment at New Horizon Counseling Services. The undersigned officer advised the Court that Patrick Boam would be referred to intensive outpatient (IOP) counseling. Additionally, random urine testing would continue, at a rate of no less than once weekly. Contact with the chemical dependency counselor confirms that the offender continues to avail himself for counseling purposes.

As an intermediate sanction, Patrick Boam was again directed to abstain from the use of marijuana while under supervision. In addition, he is required to continue attending IOP counseling while assessing the possible need for intensive inpatient treatment. It is the undersigned officer's position that a more stable living environment is needed to augment both treatment and supervision efforts. Placement at Turner House would afford the offender a reasonable period to address his addiction needs, while seeking gainful employment.

It is respectfully recommended that the attached Waiver of Hearing to Modify Conditions of Supervision be adopted, requiring Patrick Boam to reside at a community corrections center for a period up to 180 days. In light of the Ninth Circuit Court of Appeals' finding in United States v. Stevens (9<sup>th</sup> Cir. 2005), it is recommended the conditions of supervision be modified to authorize a maximum of six random drug tests per month.

Your Honor, it is again hoped that the intermediate sanctions imposed meet your expectations. The undersigned officer remains convinced the offender is amenable to supervision. However, in the event that you choose to have a warrant or summons issued, please advise and the undersigned will prepare the appropriate petition and present it for your signature.

Respectfully submitted,

by



Tommy Rosser

U.S. Probation Officer

Date: January 11, 2006

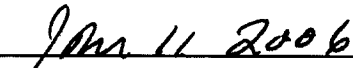
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**THE COURT ORDERS**

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date